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10/572,785	03/21/2006	Jochen Wehner	WEHNER-2 PCT	9559
7055 7590 11/08/2011 GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			EXAMINER MCCULLEY, MEGAN CASSANDRA	
			ART UNIT 1767	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

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gbpatent@gbpatent.com
pto@gbpatent.com

DETAILED ACTION

The amendments to the claims will not be entered because the scope of the claims is changed; new issues are raised which would require a further search and/or consideration. Specifically, changing the process to an in-mold process and adding the step of introducing the gel coat material into a mold would require further consideration.

While arguments to the not entered amendments will not be addressed below, applicant's arguments pertaining to the finally rejected claims will be discussed for further clarification.

A) Applicant's argument that Singh et al. is concerned with making polyurethane elastomers and therefore other polyurethane producing processes not involving mixing all ingredients together before reacting might not work to achieve the desired product is not persuasive. Althaus et al. teaches the claimed process of premixing the polyol components and amine components first before processing with the isocyanate (col. 4 lines 11-18). Althaus et al. is also concerned with making polyurethane elastomers (col. 4 lines 29-32). Therefore, alternative methods to the production method described in Singh et al. are taught in the art for making polyurethane elastomers. Further, contrary to the remarks, Singh et al. does mention amines (abstract).

B) Applicant's argument that Althaus et al. can not teach making the polyurethane elastomers desired by Singh et al. since Althaus et al. is concerned with chain lengthening or crosslinking agents for polyurethanes is not persuasive. Althaus et al. teaches the claimed mixing process for making polyurethane elastomers (4:29-32).

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Singh et al. is concerned with chain-lengthening and crosslinking agents for polyurethanes as well (1:29-33).

C) Applicant's argument that Althaus et al. does not provide motivation for using the claimed amine in the polyurethane elastomer of Singh et al., who does not use amines is not persuasive. The motivation is to make the resulting polyurethane elastomer very temperature stable, as evidenced by Althaus et al. (2:20-25). Applicant argues that the amine would not shorten the pot life as desired by Singh et al. However, Althaus et al. is also concerned with short pot lives, as is Singh et al. Althaus et al. discloses that it is beneficial to not have unreasonably short pot lives such that processing time is no longer possible (1:49-51). Both Singh et al. and Althaus et al. are concerned with molding the products. Therefore, the length of the processing time must be on a similar scale for both references since a substantially similar product is being processed in the same way in both references.

D) Applicant's argument that the prior art documents do not teach the problems discussed on page 15 of the remarks is not persuasive. The Court in *KSR* stated that it is an error to look only to the particular problem the patentee was trying to solve. The problem motivating the patentee may be only one of many addressed by the patent's subject matter and a person having ordinary skill in the art would not be led only to those elements of the prior art designed to solve the same problem (MPEP 2141 II A2).

E) Applicant's argument that Singh et al. does not teach the lamination process with a two-step hardening is not persuasive. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking

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references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In this case Sondhe et al. teaches these features.

F) Applicant's argument that Sondhe et al. teaches applying a polyurethane onto an epoxy, which is the opposite of the recited method is not persuasive. It is improper to read a specific order of steps into method claims where, as a matter of logic or grammar, the language of the method claims did not impose a specific order on the performance of the method steps (MPEP 2111.01 II). In Sondhe et al., the polyurethane is contacted with the synthetic resin that is an epoxy resin, as is claimed.

G) Applicant's argument that Sondhe et al. wants to cure as quickly as possible and therefore would make it virtually impossible to apply thereon any synthetic resin while the gel coat material is still not completely cured is not persuasive. Sondhe et al. states that this is not the case. Column 13 lines 33-36 states "Upon mixing, the two-part urethane system will immediately commence reaction and hence it is immediately applied to the base layer before any substantial crosslinking or curing reaction occurs."

H) Applicant's argument that McGaughey et al. does not teach the order of operations in claim 23 is not persuasive. McGaughey et al. teaches applying an epoxy resin onto a polyurethane (col. 2 lines 55-63 and col. 3 lines 1-20 and col. 2 lines 15-40). The process states "comprising", this leaves the claim open for additional components such as steel and fibrous material.

I) Applicant's argument that McGaughey et al. does not teach that the synthetic resin is not or at least not completely cured is not persuasive. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In this case Sondhe et al. teaches these features.

J) Applicant's argument that Motsinger et al. is not analogous art is not persuasive. As the Office action states, Motsinger et al. is analogous art in the field of polyurethane products. Both references are concerned with the same field of endeavor.

K) Applicant's argument that Motsinger et al. does not teach combining a polyurethane and a fiber reinforced epoxy resin, but teaches making separate and distinct components of the product is not persuasive. Motsinger et al. teaches the inner shell 11 is polyurethane and the outer shell 10 is epoxy. According to Fig. 1, the inner shell 11 is adjacent to the outer shell 10.

L) Applicant's argument that Chapin is not analogous art is not persuasive. As the Office action states, Chapin is analogous art in the field of polyurethane products. Both references are concerned with the same field of endeavor.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MEGAN MCCULLEY whose telephone number is

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(571)270-3292. The examiner can normally be reached on Monday-Friday 8:30-4:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Eashoo can be reached on (571) 272-1197. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/M. M./
Examiner, Art Unit 1767

/Mark Eashoo/
Supervisory Patent Examiner, Art Unit 1767